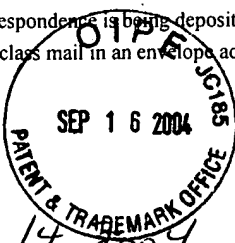


IFW

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P.O. Box 1450
Alexandria, VA 22313-1450



PATENT
Attorney Docket No.: 02558B-059412US
Client Reference No.: BRP00091
(divisional)

On September 14, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Mark T. Davis
Mark T. Davis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael I. Watkins and Richard B. Edwards

Application No.: 10/734,957

Filed: December 11, 2003

For: MULTIPLEX FLOW ASSAYS
PREFERABLY WITH MAGNETIC
PARTICLES AS SOLID PHASE

Examiner: Not Yet Assigned

Art Unit: 1648

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

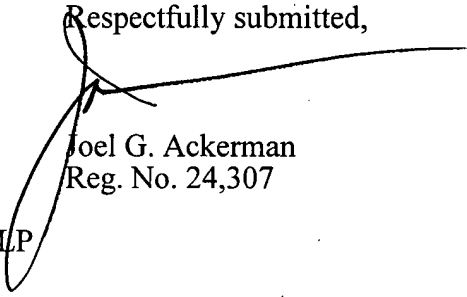
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

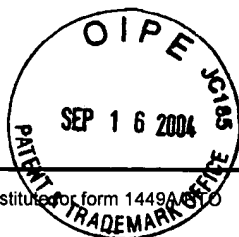
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Joel G. Ackerman
Reg. No. 24,307

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
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JA:mtd
60304579 v1



Substituted for form 1449A-PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/734,957	
			Filing Date	December 11, 2003	
			First Named Inventor	Watkins, Michael I.	
			Art Unit	1648	
Examiner Name	Not Yet Assigned				
Sheet	1	of		Attorney Docket Number	02558B-059412US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-5,561,070	10-01-1996	Stewart et al.	
	AB	US-5,567,627	10-22-1996	Lehnen	
	AC	US-5,601,983	02-11-1997	Takayama et al.	
	AD	US-5,840,587	11-24-1998	Stewart et al.	
	AE	US-6,023,540	02-08-2000	Walt et al.	
	AF	US-6,449,562 B1	09-10-2002	Chandler et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AG	WO	89/11101	A1	11-16-1989			<input type="checkbox"/>
	AH	WO	90/07380	A2	07-12-1990			<input type="checkbox"/>
	AI	WO	97/14028	A2	04-17-1997			<input type="checkbox"/>
	AJ	WO	97/35201	A1	09-25-1997			<input type="checkbox"/>
	AK	EP	0965044	B1	03-19-2003			<input type="checkbox"/>
	AL	CA	2072548	A1	12-27-1993			<input type="checkbox"/>
	AM	GB	1561042		02-13-1980			<input type="checkbox"/>
	AN	DE	4427821	A1	02-01-1996			<input checked="" type="checkbox"/>
	AO	JP	61-132869		06-20-1986		translation provided	<input checked="" type="checkbox"/>
	AP	JP	63-036151		02-16-1988		abstract provided	<input checked="" type="checkbox"/>
	AQ	JP	05-093726		04-16-1993		abstract provided	<input checked="" type="checkbox"/>
	AR	JP	09-113512		05-02-1997		abstract provided	<input checked="" type="checkbox"/>

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known		
		Application Number	10/734,957	
		Filing Date	December 11, 2003	
		First Named Inventor	Watkins, Michael I.	
		Art Unit	1648	
		Examiner Name	Not Yet Assigned	
Sheet	2	of	Attorney Docket Number	02558B-059412US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AS	BLANKENSTEIN, Gert; "Microfabricated Flow System for Magnetic Cell and Particle Separation"; 1997, <u>Scientific and Clinical Applications of Magnetic Carriers</u> , pp. 233-245.	
	AT	MELUI et al.; Standardization of Protamine-Coated Microbeads Using Flow Cytometry for Heparin Quantitation"; 1995, <u>Proceedings of the DGFZ Heidelberg Meetings</u> , 1 page abstract.	
	AU	SCILLIAN, James J. et al.; "Early Detection of Antibodies Against rDNA-Produced HIV Proteins With a Flow Cytometric Assay"; 1989, <u>Blood</u> , Vol. 73, No. 7, pp. 2041-2048.	
	AV	Spherotech, Inc. Catalog, table of contents and pages 8-9 and 16-17, 1992-1993.	
	AW	STEWART, M.W. et al.; Detection of Antiphospholipid Antibodies by Flow Cytometry: Rapid Detection of Antibody Isotype and Phospholipid Specificity"; 1993, <u>Thrombosis and Haemostasis</u> , Vol. 70, No. 4, pp. 603-607.	
	AX	VLIEGER, A.M. et al.; "Quantitation of Polymerase Chain Reaction Products by Hybridization-Based Assays with Fluorescent, Colorimetric, or Chemiluminescent Detection"; 1992, <u>Analytical Biochemistry</u> , Vol. 205, pp. 1-7.	
	AY	WIDE, Leif; "Noncompetitive Versus Competitive Binding Assays"; 2003, <u>Competitive Binding Assays</u> , pp. 243-254.	
	AZ	YANG, Gang et al.; "Flow Cytometric Detection of Human Immunodeficiency Virus Type 1 Proviral DNA by the Polymerase Chain Reaction Incorporating Digoxigenin- or Fluorescein-Labeled dUTP"; 1995, <u>Cytometry</u> , Vol. 21, pp. 197-202.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.